

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

---

|                               |   |                  |
|-------------------------------|---|------------------|
| PRIYA PROPERTIES, LLC,        | : |                  |
| Plaintiff,                    | : |                  |
|                               | : |                  |
| v.                            | : | No. 5:24-cv-5485 |
|                               | : |                  |
| NATIONWIDE ASSURANCE COMPANY, | : |                  |
| Defendant.                    | : |                  |

---

**O R D E R**

AND NOW, this 13<sup>th</sup> day of November, 2024, for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Motion to Dismiss, *see* ECF No. 7, is **GRANTED**;
  - a. Count II is **DISMISSED without prejudice**;
  - b. **Within twenty (20) days of the date of this Order**, Plaintiff may file an amended complaint as to Count II;
2. If Plaintiff fails to timely file an amended complaint, Count II will be dismissed with prejudice and the matter will proceed on Count I only.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR.  
United States District Judge